

Have had the same under consideration, and I am instructed to report said bill back to the House with the recommendation that it do pass.

O'BRYAN, Acting Chairman.

SIXTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Friday, July 29, 1910.

The House met at 2 o'clock p. m.,
pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Lawson.
Anderson.	Leach.
Aston.	Lee.
Baker of Hood.	Lively.
Baker of Panola.	Looney.
Ballengee.	Luce.
Barrett.	Maddox.
Bartlett.	Mason.
Bell.	Matthews.
Bierschwale.	Maxwell.
Bogard.	McDonald.
Bostic.	McGown.
Boswell.	McKinney.
Bowles.	McLain.
Branch.	Moller.
Briscoe.	Morris.
Brookshire.	Munson.
Brown.	Nelson of Hopkins.
Brownlee.	Nelson of
Cable.	Kaufman.
Canales.	Nickels.
Cathey.	O'Bryan.
Caves.	O'Bryant.
Cox.	Odom.
Craven.	Perkins.
Crawford.	Pharr.
Crisp.	Porter.
Crockett of	Rabb.
Mitchell.	Ralston.
Cureton.	Ray.
Currey.	Rayburn.
Dalby.	Reedy.
Davis.	Reid.
Dotson.	Roach.
Driggers.	Roberson of Erath.
Elliott.	Robertson of Bell.
Fant.	Robertson of
Fuller.	Travis.
Gilmore.	Schluter.
Goodman.	Schofield.
Hamilton of	Self.
Childress.	Smith.
Hamilton of	Spradley.
McCulloch.	Stamps.
Harman.	Stead.
Hill.	Stephenson.
Humphrey.	Stepter.

Stratton.
Strickland.
Tarver.
Terrell of Bexar.
Tillotson.
Turner.

Turney.
Vaughan.
Walter.
Watson.
Werner.
Yantis.

Absent.

Brooks.	Jennings.
Buchanan.	Johnson.
Chaney.	Keeble.
Fitzhugh.	Standifer.
Flournoy.	Wahrmund.
Haxthausen.	Wilson.

Absent—Excused.

Byrne.	Kennedy.
Crockett of	McCallum.
Washington.	Pearson.
German.	Terrell of Cherokee.
Graham.	Von Rosenberg.
Highsmith.	Wortham.
Jackson.	Wilburn.

A quorum was announced present.

Prayer by Rev. W. J. Joyce, Chaplain.

LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Wilburn for balance of this week, on motion of Mr. Terrell of Bexar.

Mr. Von Rosenberg for balance of week, on motion of Mr. Rabb.

Mr. Highsmith for balance of week, on motion of Mr. Gilmore.

Mr. Graham for balance of week, on motion of Mr. Brownlee.

Mr. Byrne for balance of week, on motion of Mr. Looney.

Mr. Crisp for balance of week, on motion of Mr. Stephenson.

Mr. Harman for first four days of this week, on motion of Mr. Stephenson.

On account of important committee work:

Mr. Cureton for today, on motion of Mr. Baker of Hood.

On account of sickness:

Mr. Kennedy and Mr. Pearson indefinitely, on motion of Mr. Elliott.

Mr. German for balance of the week, on motion of Mr. Hamilton of Childress.

HOUSE BILLS ON FIRST READING.

The following House bills were introduced, read first time and referred to appropriate committees as follows:

By Mr. Rayburn and Mr. Looney:

House bill No. 11, A bill to be entitled "An Act authorizing the Comptroller of Public Accounts to pay off, discharge and cancel bonds aggregating the sum of \$13,200, issued by the State of Texas, bearing date July 1, 1879, and due July 1, 1909, together with interest accrued thereon up to the time of the passage and taking effect of this act, and now held by an individual or individuals, corporation or corporations, upon presentation of said bonds for payment, and providing for interest to cease upon said bonds after the passage and taking effect of this act, and making an appropriation of the sum of \$15,500 for that purpose, and declaring an emergency."

Referred to the Committee on Public Debt.

By Mr. Rayburn and Mr. Looney:

House bill No. 12, A bill to be entitled "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910; for issuing other bonds at a lower rate of interest in lieu thereof; providing for the execution of such other bonds, and the manner of exchange of the new bonds, and declaring an emergency."

Referred to the Committee on Public Debt.

By Mr. Caves, Mr. Vaughan and Mr. Cable:

House bill No. 13, A bill to be entitled "An Act providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas and of his employes; providing for a complete system of accounting, bookkeeping and auditing for said department with other departments and officers of the government; providing that the Comptroller shall prescribe and furnish forms to be used in the collection of revenue and claims; providing for the appointment of a chief clerk and prescribing his duties; providing for filling vacancies in the office of the Comptroller; repealing Articles 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847 and 2848 of Chapter 2 of Title 52 of the Revised Civil Statutes of 1895, relating to the duties of the Comptroller in connection with the bookkeeping and auditing of the Com-

troller's Department, and all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to the Committee on State Affairs.

OATH OF OFFICE ADMINISTERED TO HON. E. A. McDANIEL AND HON. P. M. JOHNSTON.

Mr. Aston, arising in his seat, addressed the Chair, and stated that Hon. E. A. McDaniel of Coleman county, who had been elected to fill the vacancy caused by the resignation of Hon. C. H. Jenkins, late Representative from the One Hundred and Seventh District, composed of the counties of Coleman and Brown, and Hon. P. M. Johnston of Parker county, who had been elected to fill the vacancy caused by the resignation of Hon. R. Bonna Ridgway, late Representative from the Seventy-seventh District, composed of Parker county, are now in the Hall, and asked that they be allowed to take the oath of office.

There was no objection offered.

The Speaker announced the appointment of Messrs. Cathey and Cable as a committee to escort Hon. E. A. McDaniel and Hon. P. M. Johnston to the Speaker's stand.

The committee escorted Mr. McDaniel and Mr. Johnston to the Speaker's stand, where they took the oath of office, which was administered by Bob Barker, Chief Clerk.

MOTION TO RECONSIDER.

Mr. Canales moved to reconsider the vote by which House bill No. 5, relating to moving picture exhibitions, was on yesterday passed to engrossment.

The motion to reconsider was lost.

HOUSE BILL NO. 5 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

House bill No. 5, A bill to be entitled "An Act to prohibit the exhibition or representation of prize fights and glove contests by moving picture films or other means, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

Mr. Munson offered the following amendments to the bill:

(1)

Amend House bill No. 5, Section 1, line 14, by striking out the words

"means whatsoever," and inserting in lieu thereof the words "similar devices."

(2)

Amend Section 2, line 23, by adding after the word "produced," at end of said line, the words, "by means of moving picture films or by any other similar devices."

The amendments were adopted.

Mr. Hamilton of Childress offered the following amendment to the bill:

Amend the caption of House bill No. 5 by striking out the word "creating," in the last line of the caption, and insert the word "declaring."

The amendment was adopted.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—96.

Anderson.	Hill.
Aston.	Humphrey.
Baker of Hood.	Johnston.
Baker of Panola.	Lawson.
Ballengee.	Leach.
Barrett.	Lee.
Bell.	Lively.
Bierschwale.	Luce.
Bogard.	Maddox.
Bostic.	Mason.
Boswell.	Matthews.
Bowles.	Maxwell.
Branch.	McDaniel.
Briscoe.	McDonald.
Brooks.	McKinney.
Brookshire.	McLain.
Brown.	Moller.
Brownlee.	Morris.
Cable.	Munson.
Canales.	Nelson of Hopkins.
Cathey.	Nelson of
Caves.	Kaufman.
Chaney.	O'Bryan.
Cox.	O'Bryant.
Craven.	Odom.
Crawford.	Perkins.
Currey.	Pharr.
Dalby.	Porter.
Davis.	Rabb.
Dotson.	Ralston.
Driggers.	Ray.
Elliott.	Rayburn.
Fant.	Reedy.
Flournoy.	Reid.
Fuller.	Roach.
Gilmore.	Roberson of Erath.
Goodman.	Robertson of Bell.
Hamilton of	Schluter.
Childress.	Schofield.
Hamilton of	Self.
McCulloch.	Spradley.
Harman.	Stamps.

Standifer.
Stead.
Stephenson.
Stepter.
Stratton.
Strickland.
Tarver.
Tillotson.

Turner.
Turney.
Vaughan.
Walter.
Watson.
Werner.
Wilson.
Yantis.

Nays—1.

Bartlett.

Absent.

Adams.
Buchanan.
Crisp.
Crockett of
Mitchell.
Fitzhugh.
Haxthausen.
Jennings.

Johnson.
Keeble.
Nickels.
Robertson of
Travis.
Smith.
Terrell of Bexar.
Wahrmund.

Absent—Excused.

Byrne.	McCallum.
Crockett of	McGown.
Washington.	Pearson.
Cureton.	Terrell of Cherokee.
German.	Von Rosenberg.
Graham.	Wilburn.
Jackson.	Wortham.
Kennedy.	

PAIRED.

Mr. Looney (present), who would vote "yea," with Mr. Highsmith (absent), who would vote "nay."

REASON FOR VOTE.

While I believe that this bill in its present shape, as amended by the House, has gone beyond its original purpose by including subjects which are not in the call of the Governor, yet having presented my objections to the House at the proper time and the majority having decided against me, I think I have discharged my duty in this respect, and as I am in favor of the main purpose of the bill, I therefore have voted for its final passage.

CANALES.

HOUSE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on second reading and passage to engrossment,

House bill No. 10, A bill to be entitled "An Act making appropriations for the purpose of building, remodeling, repairing, equipping and completing the construction of additions to the negro male and female departments and the dining

hall at the State Lunatic Asylum at Austin; and for the purpose of remodeling, building, equipping and completing the construction of a reinforced concrete tunnel at said institution; and providing for the purchase of additional machinery for the steam laundry at said institution; providing the manner of expending such appropriations, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

COMMITTEE OF THE WHOLE HOUSE.

Mr. Cox moved that the House do now resolve itself into Committee of the Whole House for the purpose of considering House bill No. 10, making appropriations for improvements to the negro and other departments of the State Insane Asylum at Austin.

The motion prevailed.

Speaker Marshall then called Mr. Standifer to the chair, and the House resumed consideration of the bill as a Committee of the Whole House.

(In Committee of the Whole House, Mr. Standifer in the chair.)

IN THE HOUSE.

(Speaker Marshall in the chair.)

After considering the bill, the Committee of the Whole House arose, and through Mr. Standifer, Chairman, submitted the following report:

Austin, Texas, July 29, 1910.

Hon. John Marshall, Speaker of the House.

Sir: Your Committee of the Whole House, to whom was referred House bill No. 10, have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that the bill do pass, with the following amendments:

(1)

Amend the bill by adding at the end of Section 1 the following: "Provided, that the improvements and repairing herein provided for shall be made under the direction, management and supervision of a competent architect, to be appointed or selected by the Board of Managers of the State Lunatic Asylum at Austin and approved by the Governor, and who shall perform such duties in relation thereto as may be directed by said board, and whose fees

for such service shall be deducted from the appropriation herein made."

(2)

Amend House bill No. 10, line 36, by inserting after the word "Governor" the words "and the supervising architect," and by striking out in lines 39 and 40 the words "when such additions to said buildings and the concrete tunnel is fully completed and finished," and insert in lieu thereof "as the work progresses and vouchers therefor are approved."

(3)

Amend by adding to Section 1 the following: "For the purpose of building and equipping a laundry the sum of \$12,500 is hereby appropriated out of any money in the treasury not otherwise appropriated, to be expended under the supervision of the Board of Managers."

STANDIFER, Chairman.

HOUSE BILL NO. 10 ON ENGROSSMENT.

The House resumed consideration of the pending business, the same being House bill No. 10, providing for improvements at the State Insane Asylum, on its passage to engrossment, the Committee of the Whole House having reported the bill back to the House with the recommendation that it do pass, with amendments.

The bill having been read second time, the question recurred—Shall the amendments recommended by the Committee of the Whole House be adopted?

On motion of Mr. Robertson of Travis, further consideration of the bill was postponed until tomorrow morning, the same to be placed on the calendar as pending business.

RECESS.

On motion of Mr. Walter, the House, at 4:20 o'clock p. m., took recess until 10 o'clock a. m. tomorrow.

AFTER RECESS.

(July 30.)

The House met at 10 o'clock a. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Tillotson for balance of today, on motion of Mr. Aston.